

PROB 12B  
(12/98)

**United States District Court**

FILED  
U.S. DISTRICT COURT  
W.D.N.Y. BUFFALO

for

2006 NOV 17 AM 8:28

**The Western District of New York**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

**Name of Offender:** Adrian Morrow

**Case Number:** 1:95CR00208-001

**Name of Sentencing Judicial Officer:** John T. Elfvin, Senior U.S. District Judge

**Date of Original Sentence:** October 17, 1997

**Original Offense:** Possession With Intent to Distribute Cocaine Base

**Original Sentence:** 57 months custody and four (4) years TSR. Special conditions included drug/alcohol testing and treatment.

On February 8, 2002, the subject's conditions were modified to include mental health treatment.

On December 27, 2002, the subject's conditions were again modified to include 20 hours of community service.

On November 14, 2003, the subject's term of supervised released was revoked for failure to submit monthly supervision reports. He was sentenced to four (4) months custody and five (5) years TSR. Special conditions included one (1) months of electronic monitoring.

**Type of Supervision:** Supervised Release      **Date Supervision Commenced:** 11/1/06

**PETITIONING THE COURT**

☐ ~~To extend the term of supervision for \_ years, for a total term of \_ years.~~

☒ To modify the conditions of supervision as follows:

The defendant shall submit to substance abuse testing, to include urinalysis and other testing. Details of such testing to be approved by the U.S. Probation Office. If substance abuse is indicated by testing, the defendant is to complete a drug/alcohol evaluation and enter into any treatment as deemed necessary by the U.S. Probation Office and/or the Court. The defendant is not to leave treatment until discharge is agreed to by the U.S. Probation Office and/or the Court. While in treatment and after discharge from

**RE: MORROW, Adrian**  
**1:95CR00208-001**

treatment, the defendant is to abstain from the use of alcohol. The defendant is required to contribute to the cost of services rendered (co-payment in the amount to be determined by the U.S. Probation Office based on the ability to pay or availability of third party payment).

The defendant shall submit to a search of his person, property, vehicle, place of residence or any other property under his control and permit confiscation of any evidence or contraband discovered.

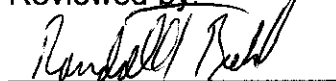
### CAUSE

Mr. Morrow was released from the custody of the Bureau of Prisons on 11/1/06 after his term of supervised release was revoked and he was sentenced to a period of incarceration of four (4) months with five (5) years supervised release to follow.

The subject has a history of substance abuse, therefore, this officer is requesting to have his conditions modified to include drug testing. The instant offense also involved distribution of cocaine base, therefore, a search condition is respectfully being requested as well.

On 11/7/06, the subject waived his right to a hearing to have his conditions modified and signed the attached Probation Form 49.

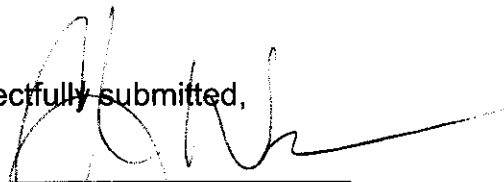
Reviewed by:



Randall T. Biehl  
Supervising U.S. Probation Officer

Respectfully submitted,

by

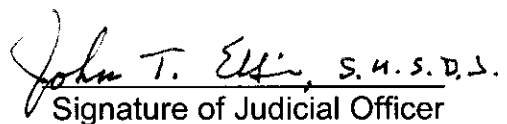


Cleophus J. Weeks  
Senior U.S. Probation Officer  
Date: November 7, 2006

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### THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer

Buffalo, N.Y., November 15, 2006  
Date

PROB 49  
(Revised 11/98)

**United States District Court  
Western District of New York**

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

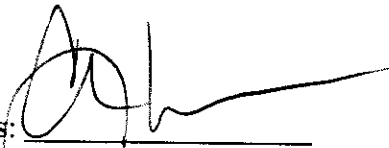
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing. I further understand that all previously imposed conditions will remain in effect.

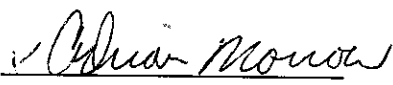
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall submit to substance abuse testing, to include urinalysis and other testing. Details of such testing to be approved by the U.S. Probation Office. If substance abuse is indicated by testing, the defendant is to complete a drug/alcohol evaluation and enter into any treatment as deemed necessary by the U.S. Probation Office and/or the Court. The defendant is not to leave treatment until discharge is agreed to by the U.S. Probation Office and/or the Court. While in treatment and after discharge from treatment, the defendant is to abstain from the use of alcohol. The defendant is required to contribute to the cost of services rendered (co-payment in the amount to be determined by the U.S. Probation Office based on the ability to pay or availability of third party payment).

The defendant shall submit to a search of his person, property, vehicle, place of residence or any other property under his control and permit confiscation of any evidence or contraband discovered.

Witness:

  
U.S. Probation Officer  
Cleophus J. Weeks

Signed: 

Supervised Release  
Adrian Morrow

11-7-06

Date